

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Chambers of
STEVEN C. MANNION
United States Magistrate Judge

Martin Luther King Jr, Federal Bldg.
& U.S. Courthouse
50 Walnut Street
Newark, NJ 07102
(973) 645-3827

February 5, 2019

LETTER ORDER

Re: Clover Health Investments Corp., et al. v. Farrell
Civil Action No. 18-cv-16802 (KM) (SCM)

Dear Litigants:

This matter comes before the Court upon review of Plaintiffs’ second Motion to Seal.¹ There is a legal presumption that all materials and judicial proceedings are matters of public record and are not to be sealed.² To overcome that presumption, a party seeking to seal materials or judicial proceedings must comply with the mandates of the local rule. Local Civil Rule 5.3(c) requires that motions to seal include an affidavit or certification and index addressing the six factors identified in paragraph (c)(3), including an explanation of “why a less restrictive alternative to the relief sought is not available”.³

Plaintiff’s motion is currently deficient as it is overbroad and inconsistent with the principles guiding the motion to seal. This Court finds that plaintiff has not demonstrated why a less restrictive alternative to sealing the *entire* complaint is not available, such as redacting only those sentences of the complaint that contain confidential information. Plaintiffs’ second Motion

¹ (ECF Docket Entry No. (“D.E.”) 18).

² *See* L. Civ. R. 5.3(c)(3).

³ *See id.*

to Seal (D.E. 18) is hereby **DENIED** without prejudice. Counsel may file a new motion to seal after the deficiencies have been corrected.

IT IS SO ORDERED.



A handwritten signature in black ink that reads "Steve C. Mannion".

Honorable Steve Mannion, U.S.M.J.
United States District Court,
for the District of New Jersey
phone: 973-645-3827

2/5/2019 9:51:23 AM

Original: Clerk of the Court
Hon. Kevin McNulty, U.S.D.J.
cc: All parties
File